

City of Clewiston
Special Magistrate
Regular Hearing
March 27, 2013

The City of Clewiston Special Magistrate held its regular meeting in the city hall commission chambers, 115 West Ventura Avenue, Clewiston, Florida, on Wednesday, March 27, 2013. The meeting was called to order at 2:00 p.m. by Magistrate Watt. Pledge of Allegiance was recited.

Attendance

Magistrate present: James L. Watt

Personnel present: Julia Leyva, Travis Reese, Debra Towner

Visitor(s) present: James M. Evans

Special Magistrate Watt briefly summarized the purpose of the hearing.

Approval of the minutes from November 29, 2012: Let the record show an accurate reflection of the proceedings as presented.

Swearing in of all parties intending to present testimony.

Additions/deletions to agenda: Mr. Reese stated that there were none.

Consent agenda showed three (3) properties now in compliance. City of Clewiston recommended dismissal of these cases. Mr. Watt ruled that the three (3) cases are in compliance and therefore dismissed.

Case No. 12-0166:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 12-0166, for the property located at 725 East El Paso Avenue, owner of record, Amera Halum.

Mr. Reese stated that the violation is the installation of an air conditioning unit and ductwork without a permit per code section 18-46 and proper notice was given.

Code Officer Leyva verified pictures of the property as the owner nor an agent was present at the meeting.

The City of Clewiston recommended and Mr. Watt ruled that a fine of \$150.00 be levied for the time from date of violation (8/2/12) to today (3/27/13) as well as a fine of \$25.00 per day until a permit has been applied for by a licensed contractor, accepted and inspected by the inspector.

Case No. 13-0011:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 13-0011, for the property located at 309 South Deane Duff Avenue, owner of record, James M. Evans.

Mr. Reese stated that the violation is an illegal accessory structure per code section 110-438 and proper notice was given. It is a pre-existing carport since before the new code existed.

Code Officer Leyva verified pictures of the property and the owner was present at the meeting. Mr. Evans stated that he installed the carport in 2003 and understood from Mr. Sean Scheffler that the right-of-way was ten (10) feet so that is where it was anchored. He is willing to shorten and relocate the carport and apply for a permit.

The City of Clewiston recommended and Mr. Watt ruled that Mr. Evans has until June 1, 2013 to obtain a permit to relocate the carport and that his case will be reviewed at the next meeting to be held in June 2013.

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Case No. 13-0012:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 13-0012, for the property located at 343 East Obispo Avenue, owners of record, Rogelio & Sarah Pompa.

Mr. Reese stated that the violation is an illegal accessory structure per code section 110-313 and proper notice was given.

Code Officer Leyva verified pictures of the property as the owner was not present at the meeting. A letter was submitted from the owner's stating that health issues prevented them from attending the meeting and requesting a new meeting date.

The City of Clewiston recommended and Mr. Watt ruled that Mr. & Mrs. Pompa have until June 1, 2013 to relocate the carport and that their case will be reviewed at the next meeting to be held in June 2013.

Case No. 13-0029:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 13-0029, for the property located at 704 Comercio Street, owner of record, Clinton Smith.

Mr. Reese stated that the violation is an illegal accessory structure per code section 110-313 and proper notice was given.

Code Officer Leyva verified pictures of the property as the owner was not present at the meeting. A letter was submitted from the owner stating that health issues prevented him from attending the meeting and requesting a new meeting date.

The City of Clewiston recommended and Mr. Watt ruled that Mr. Smith has until June 1, 2013 to relocate the structure and that his case will be reviewed at the next meeting to be held in June 2013.

Case No. 13-0036:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 13-0036, for the property located at 610 Sabal Avenue, owner of record, Bette C. Jones.

Mr. Reese stated that the violation is severe neglect of the property resulting in severe overgrowth per code section 18-640 and proper notice was given.

Code Officer Leyva verified pictures of the property as the owner nor an agent was present at the meeting. A phone message was submitted from the owner stating that health issues prevented them from attending the meeting and that the property will be cleaned completely by this weekend.

The City of Clewiston recommended and Mr. Watt ruled that a fine of \$150.00 be levied for the time from date of violation (1/18/13) to today (3/27/13) as well as a fine of \$25.00 per day until compliance.

Case No. 13-0055:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 13-0055, for the property located at 340 West El Paso Avenue, owner of record, MTAG Cust. for Amherst Asset Mgmt, LLC.

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Mr. Reese stated that the violation is severe neglect of the property resulting in a dangerous building per code section 18-521 and proper notice was given.

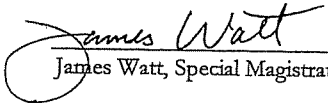
Code Officer Leyva verified pictures of the property as the owner nor an agent was present at the meeting. Special Magistrate Watt concerned about the safety and well being of citizens so he instructed Mr. Reese to contact the City Attorney and the City Manager as soon as possible to inform them of the situation. Mr. Watt also recommended having this property be presented to the Building Board of Commissioners.

The City of Clewiston recommended and Mr. Watt ruled that a fine of \$150.00 be levied for the time from date of violation (2/6/13) to today (3/27/13) as well as a fine of \$25.00 per day until compliance.

Magistrate Watt closed the public hearing after receiving no further comments, written or oral, from the audience or the board.

Adjournment:

The meeting adjourned at 2:52 p.m.


James Watt, Special Magistrate